

(CORRECTED COPY)
SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

OCTOBER 10, 2002

**ISSUANCE OF ORDERS BY THE BUREAU OF
LAND AND WASTE MANAGEMENT**

Hazardous Waste Enforcement

1. Order Type and Number: Consent Order 02-17-HW
Order Date: September 5, 2002
Responsible Party: **Palmetto Plating Co., Inc.**
Location/Mailing Address: 510 Saco Lowell Road
Easley, South Carolina
County: Pickens
Previous Orders: None
Permit Number: SCR 981 868 250
Violations Cited: Hazardous Waste Management
Regulations, 25 S.C. Code Ann. Regs. 61-79.262.11, R.61-
79.262.41(a)(6), R.61-79.262.40(b), R.61-79.265.52(d),
R.61-79.265.15, R.61-79.265.174, R.61-79.262.34(c)(1)(ii),
R.61-79.265.173(a), R.61-79.265.51(b), and S.C. Pollution
Control Act, S.C. Code Ann. §48-1-90 (1987).

Summary: Palmetto Plating Company, Inc. (Respondent), located in Pickens County, South Carolina, electroplates metal parts from outside suppliers. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to make an accurate hazardous waste determination; failure to accurately complete Quarterly Reports; failure to keep records of Quarterly Reports on site; failure to amend its Contingency Plan; failure to conduct adequate weekly inspections; failure to clearly mark its containers with the words "HAZARDOUS WASTE" or with other words that identify the contents; failure to ensure that hazardous waste containers were closed during storage; and failure to follow provisions of its Contingency Plan to immediately attend to a release of hazardous waste. The Respondent has also violated the Pollution Control Act by allowing the discharge of organic or inorganic matter into the environment of the State.

Action: The Respondent has agreed to: ensure that a hazardous waste determination is made on all solid wastes; ensure the timely submission of Quarterly Reports; ensure that all records pertaining to waste management are maintained

onsite; ensure that the contingency plan is reviewed and amended to include facility personnel working at the site; ensure that weekly inspections are conducted at all operating facilities; ensure that waste storage containers are properly labeled; ensure that hazardous waste containers are closed during storage, except when adding or removing waste; ensure that the provisions of the contingency plan are followed to immediately attend to any releases of hazardous waste that could threaten human health or the environment; ensure that provisions are made to prevent discharges of organic or inorganic matter into the environment of the State except as in compliance with a permit issued by the Department; and pay a civil penalty in the amount of twenty-three thousand, two hundred eighty dollars (\$23,280.00).

2. Order Type and Number: Consent Order 02-16-IW
Order Date: August 8, 2002
Responsible Party: **Safewaste Corporation**
Location/Mailing Address: 9209 Forsyth Park Dr.,

#A

Charlotte, N.C.
County: N/A
Previous Orders: None
Permit Number: SC34-06T
Violations Cited: Infectious Waste Management
Regulations, 25 S.C. Code Ann. Regs. 61-105 N (1), O (2),
and O (2)(b).

Summary: Safewaste Corporation (Respondent) is an infectious waste transporter located in Charlotte, North Carolina. The Respondent has violated the Infectious Waste Management Regulations as follows: failure to register with the Department prior to transporting infectious waste within the State of South Carolina; failure to register annually with the Department as an infectious waste transporter and pay applicable fees; and failure to re-register and cease all infectious waste transport activities on the date the registration expired.

Action: The Respondent has agreed to: now and in the future, ensure compliance with all regulations governing the transporting of infectious waste within the State of South Carolina; and pay to the Department a civil penalty in the amount of two thousand, five hundred dollars (\$2,500.00). The civil penalty will be paid in one payment.

Solid Waste Enforcement

1. Order Type and Number: Consent Order 02-30-SW
Order Date: September 5, 2002
Responsible Party: **Concrete Recycling, Inc.**
Location/Mailing Address: 521 Mt. Pleasant Rd.
Spartanburg, SC 29307-4109
County: Spartanburg
Previous Order(s): None
Permit Number: None-Recovered Materials
Processing Facility
Violation(s) Cited: South Carolina Solid Waste
Policy and Management Act of 1991, S.C. Code Ann. §44-96-40
(34) (2002), S.C. Code Ann. §44-96-290 (2002), the
Construction, Demolition and Land-Clearing Debris Landfills
Regulation, 25A S.C. Code Ann. Reg. 61-107.11, Part IV,
A.8. (Supp. 2001).

Summary: Concrete Recycling, Incorporated (Facility) has failed to meet the defining requirements of a Recovered Materials Processing Facility (RMPF) pursuant to S.C. Ann. § 44-96-40 and therefore has operated a solid waste disposal facility requiring a permit, and disposed of construction/demolition debris. This constitutes a violation of The South Carolina Solid Waste Policy and Management Act of 1991 and the Construction, Demolition and Land-Clearing Debris Landfills Regulation.

Action: Consent Order 02-30-SW was executed requiring the respondent to pay to the Department a **stipulated** civil penalty in the amount of ten thousand dollars (\$10,000.00) within thirty (30) days from the receipt of written notification from the Department, should the Facility fail to use, reuse, recycle or transfer to another site for use, reuse or recycling, at least eight hundred ninety-six and seven tenths (896.7) tons of recovered concrete material by December 31, 2002. This requires the Facility to meet the defining requirements of a RMPF for Calendar Year 2002.

Underground Storage Tank Enforcement

1. Order Type and Number: Consent Order #02-2682-UST
Order Date: August 29, 2002
Owner/Operator: **Fripp Island Marina, Inc.**
Facility Name: Fripp Island Marina, Inc.
Facility Address: 875 Bonito Dr.
Fripp Island, S.C.

County: Beaufort
UST Permit Number: 00966
Previous UST Orders: None

Violations Cited: UST Control Regulations,
R.61-92, 280.93(a), R.61-92, 280.110(c).

Summary: A file review revealed that the owner/ operator had failed to demonstrate financial responsibility and submit records to the Department upon request two years in a row.

Action: The owner/operator corrected the violations and agreed to pay a five hundred dollar (\$500.00) civil penalty within 30 days.

2. Order Type and No: Admin. Order #01-1396-UST
Order Date: June 6, 2002
Owner/Operator: **Jose B. Robles**
Facility Name: Gasolineria El Mexicano
Facility Address: 1487 Cedar Lane Rd.,
Greenville, S.C.
County: Greenville
UST Permit Number: 04247
Previous UST Orders: None
Violations Cited: UST Control Regulations,
R.61-92, 280.40(a), R.61-92, 280.20(d)(2), R.61-92,
280.31(a), R.61-92, 280.34(c).

Summary: A compliance inspection and file review revealed that the owner/operator had failed to provide an adequate release detection method, install a drop tube in the kerosene tank, have the corrosion protection system repaired and retested, and provide records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of five thousand three hundred sixty dollars (\$5,360.00) when it became clear that the owner/ operator did not intend to enter into a Consent Order or come into compliance. The Administrative Order was not appealed.

ISSUANCE OF ORDERS BY THE BUREAU OF WATER

Drinking Water Enforcement

1. Order Type and No.: CO 02-168-DW
Order Date: August 19, 2002

Responsible Party: **Sleep Inn**
Facility: Sleep Inn Public Swimming
Pool

Location/Mailing Address: Hwy 17 & I-95
Hardeeville, S.C. 29927
County: Jasper
Previous Order(s): 02-165-DW (\$250)(Colleton
Co.); 01-067-DW (\$1,260)(Greenville Co.).
Permit Number: None
Violation(s) Cited: 24A S.C. Code Ann. Regs. 61-
51.B; S.C. Code Ann. § 44-55-2340(A).

Summary: Sleep Inn (Respondent) is responsible for the proper operation and maintenance of a public swimming pool in the above-referenced County. Records reveal that the Respondent failed to submit an Application for Permit to Construct and receive approval prior to constructing a public swimming pool.

Action: The Respondent has agreed to: (1) within thirty (30) days of the executed Order date, request a final inspection of the Sleep Inn public swimming pool; (2) upon issuance of Approval To Place Into Operation, operate and maintain the Sleep Inn public swimming pool in compliance with all applicable State regulations; and, (3) within thirty (30) days of the executed Order date, pay a civil penalty of three hundred and fifty dollars (**\$350.00**).

2. Order Type and No.: CO #02-184-DW
Order Date: August 28, 2002
Responsible Party: **Beaufort County Parks &
Leisure Services**
Facility: Battery Creek High Public
Swimming Pool
Location/Mailing Address: 1514 Richmond Avenue
Port Royal, S.C. 29935
County: Beaufort
Previous Order(s): None
Permit Number: 07-611-A
Violation(s) Cited: 24A S.C. Code Regs. 61-
51(J), (11), (A), (21), (B), (2), (14), (H).

Summary: Beaufort County Parks & Leisure Services (Respondent) is responsible for the proper operation and maintenance of a public swimming pool located at the above-referenced facility located in Beaufort County. Records reveal that the Respondent failed to properly operate and maintain the

public swimming pool at the referenced site in that it did not have the required number of lifeguards on duty while the pool was open; did not maintain the pool log adequately; failed to post current operating permit; failed to adequately secure a ladder; and, did not maintain chlorine levels between 1.0 and 5.0 parts per million (ppm).

Action: The Respondent has agreed to: (1) properly operate and maintain its public swimming pool in accordance with State regulations; and, (2) within thirty (30) days of the executed Order date, pay a civil penalty of five thousand dollars (**\$5,000.00**).

3. <u>Order Type and No.:</u>	CO #02-196-DW
<u>Order Date:</u>	September 09, 2002
<u>Responsible Party:</u>	Schneider Management
<u>Facility:</u>	Travelodge Public Swimming Pool
<u>Location/Mailing Address:</u>	1122 Lady Street, Suite 830 Columbia, S.C. 29201
<u>County:</u>	Richland
<u>Previous Order(s):</u>	None
<u>Permit Number:</u>	40-180-B
<u>Violation(s) Cited:</u>	25 A S.C. Code Ann. Regs. 61- 51(J).

Summary: Schneider Management (Respondent) owns and is responsible for the proper operation and maintenance of a public swimming pool in the above-referenced County. Records reveal that the Respondent failed to properly operate and maintain the public swimming pool at the above-referenced Site.

Action: The Respondent has agreed to: (1) properly operate and maintain its public swimming pool in accordance with State regulations; and, (2) within thirty (30) days of the executed Order date, pay a civil penalty of two thousand one hundred and sixty dollars (**\$2,160.00**).

ISSUANCE OF ORDERS BY THE BUREAU OF WATER

Water Pollution Enforcement

1. <u>Order Type and No.:</u>	CO #02-180-W
<u>Order Date:</u>	August 19, 2002
<u>Responsible Party:</u>	James Bentley
<u>Facility:</u>	Fogel Glenn Subdivision

Location/Mailing Address: 12199 Greenville Highway
Lyman, S.C. 29650
County: Spartanburg
Previous Order(s): 00-181-W,DW (\$20,000)
Permit Number: SCR104838
Violation(s) Cited: S.C. Code Ann. Regs. 61-
9.122.26(c)(1)(b)(14)(x).

Summary: James Bentley (Respondent) owns and is responsible for development and construction activity at the above-referenced site in Spartanburg County. Inspections of the Site revealed the Respondent failed to operate and maintain all facilities and systems of treatment and control as required in the permit; and, initiated land-disturbing activities prior to obtaining a permit.

Action: The Respondent has agreed to: (1) begin and continue to comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within thirty (30) days of the executed Order date, submit an application for the unpermitted construction area of the Site; (3) within thirty (30) days of the written approval of the application, submit a report, completed by a State registered professional engineer, certifying that construction of the necessary storm water control devices are complete and in accordance with the approved plans and specifications; and, (4) within thirty (30) days of the executed Order date, pay a civil penalty of ten thousand dollars (**\$10,000.00**).

2. Order Type and No.: CO #02-181-W
Order Date: August 19, 2002
Responsible Party: **City of Mullins**
Facility: White Oak Creek WWTF
Location/Mailing Address: P.O. Box 408
Mullins, S.C. 29574
County: Marion
Previous Order(s): 98-112-W (\$13,000); 00-083-W
(\$7,000); 00-192-W(\$17,000); 01-231-W (\$13,500).
Permit Number: SC0029408
Violation(s) Cited: 24 S.C. Code Ann. Regs. 61-
9.122.41(a)(1); S.C. Code Ann. §48-1-110(d).

Summary: The City of Mullins (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving the residents and businesses of its designated service area located in the above-referenced county. A review of the Respondent's file revealed

that the Respondent exceeded the permitted discharge limits for ammonia-nitrogen (NH₃-N).

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within thirty (30) days of the executed Order date, submit a corrective action plan (CAP) addressing compliance with NH₃-N limits; and, (3) pay a civil penalty of ten thousand two hundred dollars **(\$10,200.00)**.

3. <u>Order Type and No.:</u>	CO #02-177-W
<u>Order Date:</u>	August 14, 2002
<u>Responsible Party:</u>	Town of St. Stephen
<u>Facility:</u>	St. Stephen WWTF
<u>Location/Mailing Address:</u>	P.O. Box 537 St. Stephen, S.C. 29479
<u>County:</u>	Berkeley
<u>Previous Order(s):</u>	97-063-W (\$0)
<u>Permit Number:</u>	SC0025259
<u>Violation(s) Cited:</u>	24 S.C. Code Ann. Regs. 61-9.122.41(a); S.C. Code Ann. 48-1-20, -50(3), (11), -110(d), -130.

Summary: The Town of St. Stephen (Respondent) owns and is responsible for the proper operation and maintenance of a WDS serving the Town located in the above-referenced County. A review of the Respondent's file revealed that the Respondent failed to operate and maintain the WDS as required by the permit; also, the Respondent failed to upgrade the WDS in accordance with the compliance schedule contained in the previous Orders 94-020-W and 97-063-W.

Action: The Respondent has agreed to: (1) within ninety (90) days, submit to the Department three (3) copies of a diagnostic evaluation (DE) of the wastewater treatment facility (WWTF) to determine if the WWTF can meet NPDES permit limits as designed; (2) if the DE indicates that construction of an upgrade is required to meet limits, then within sixty (60) days of completion of the DE, submit three (3) copies of a preliminary engineering report (PER) with a schedule of implementation; (3) the schedule, upon Department approval, shall be incorporated into and become an enforceable part of this Order; (4) within twenty-four (24) hours after detection, orally report to the Department all wastewater spills which may pose a threat to human health and/or the environment, all wastewater spills which enter surface waters of the State, and/or all wastewater spills which exceed five hundred (500) gallons; (5) within five (5) days after detection, all

wastewater spills, referenced above, shall be reported to the Department on and in accordance with DHEC Sanitary Sewer Overflow or Pump Station Failure Report Form; (6) within sixty (60) days of the execution date of this Order, begin development of a capacity, Management, Operation and Maintenance (cMOM) audit; (6) within one hundred eighty (180) days of the executed Order date, submit to the Department a corrective action plan and schedule to address priority deficiencies in the WWCS; (7) within one hundred eighty (180) days of the executed Order date and every six (6) months until this Order is closed, submit to the Department a summary report of corrective actions addressing deficiencies in the WWCS; (8) within ninety (90) days of the effective date of this Order, submit to the Department a financial plan for the operation and maintenance of the WWTF.

4. Order Type and No.: CO #02-185-W
Order Date: August 26, 2002
Responsible Party: **S & S Washerette**
Facility: S & S Washerette WWTF
Location/Mailing Address: 351 Georgia Road
Gray Court, S.C. 29645
County: Laurens
Previous Order(s): None
Permit Number: SC0032298
Violation(s) Cited: S.C. Code Ann. §48-1-110(d);
24 S.C. Code Ann. Regs. 61-9.122.41(a).

Summary: S & S Washerette (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving the above-referenced facility. A review of discharge monitoring reports (DMRs) revealed that the Respondent failed to comply with NH₃-N, FC, biochemical oxygen demand (BOD), TSS, TRC, and pH concentration limits contained in its permit.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with applicable State and Federal regulations; and, (2) within thirty (30) days of the executed Order date, submit three (3) copies of a CAP detailing operation and maintenance procedures which will be implemented to prevent future effluent violations. The CAP shall include, but is not limited to, a schedule of implementation of an effective chlorine removal system, which upon approval, shall be incorporated into and become an enforceable part of this Order.

5. Order Type and No.: CO #02-190-W
Order Date: August 29, 2002
Responsible Party: **Dorchester Co. Public Works**

Facility: Lower Dorchester WWTF
Location/Mailing Address: P.O. Box 9
Dorchester, S.C. 29437
County: Dorchester
Previous Order(s): 00-216-W (\$10,500); 99-024-W
(\$6,875).
Permit Number: SC0038822
Violation(s) Cited: 24 S.C. Code Ann. Regs. 61-9.122.41(a)
(1); S.C. Code Ann. §48-1-110(d).

Summary: Dorchester County Public Works (Respondent) owns and is responsible for the proper operation and maintenance of its WWTF serving the residents and businesses of its designated service area in the above-referenced County. A review of files revealed that the Respondent failed to comply with the permitted discharge limits for fecal coliform and chronic toxicity.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with all applicable State and Federal regulations; (2) within sixty (60) days of the executed Order date, submit to the Department three (3) copies of a diagnostic evaluation (DE) of the WWTF; (3) determine if the WWTF can meet NPDES permit limits as designed; (4) if the DE indicates that construction of an upgrade is required to meet limits, then ninety (90) days of the executed Order date, submit three (3) copies of a preliminary engineering report (PER) with a schedule of implementation; and, (5) within thirty (30) days of the executed Order date, pay a civil penalty of eight thousand four hundred dollars (**\$8,400.00**).

6. Order Type and No.: CO #02-194-W
Order Date: September 05, 2002
Responsible Party: **Town of Lyman**
Facility: Lyman WWTF
Location/Mailing Address: 81 Groce Road
Lyman, S.C. 29365
County: Spartanburg
Previous Order(s): None
Permit Number: SC0021300
Violation(s) Cited: SC Code Ann. 48-1-110(d), -
90(a); 24 S.C. Code Ann. Regs 61-9.122.41(a)(1), .47(e)

Summary: The Town of Lyman (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving the residents and businesses in its designated service area in the above-referenced County. A review of the Respondent's file revealed that the Respondent failed to comply

with the permitted discharge limits for chronic toxicity and NH₃-N as contained in the permit, and discharged waste into the environment in a manner other than in compliance with a permit issued by the Department.

Action: Respondent has agreed to: (1) beginning with the first full month following the executed date of this Order, conduct chronic toxicity testing on a monthly basis; monthly chronic tests shall be conducted for twelve (12) consecutive months; (2) within thirty (30) days of the executed date of this Order, submit a CAP for the identification of the source of toxicity. The CAP should include a schedule, which upon identification of the source of the toxic substance(s), shall be implemented to eliminate toxicity failures. Upon Department approval, the schedule shall be incorporated into and become an enforceable part of this Order; (3) within one hundred eighty (180) days of the executed date of this Order, submit an update to the previously approved pretreatment program; (4) within one hundred eighty (180) days of the execution date of this Order, submit to the Department either an administratively complete PER for facility upgrade or a letter certifying that an upgrade is not necessary to comply with final effluent limitations. If a PER is submitted, it should include an implementation schedule, which upon Department approval, shall be incorporated into and become an enforceable part of this Order; and, (5) pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**).

7. <u>Order Type and No.:</u>	CO #02-192-W
<u>Order Date:</u>	September 09, 2002
<u>Responsible Party:</u>	Ortec, Inc.
<u>Facility:</u>	Ortec
<u>Location/Mailing Address:</u>	1330 Lady Street Columbia, S.C. 29201
<u>County:</u>	Greenville
<u>Previous Order(s):</u>	None
<u>Permit Number:</u>	SCR105211
<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-90(a); 24 S.C. Code Ann. Regs 61-9.122.26(c)(1).

Summary: Ortec, Inc. (Respondent) owns and is responsible for development and construction activity at the above-referenced facility. Inspections of the Site revealed that the Respondent discharged increased sedimentation into the waters of the State not in compliance with its NPDES permit; also, the Respondent failed to operate and maintain all facilities and systems of treatment and control as required in the permit.

Action: The Respondent has agreed to: (1) begin and continue to comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within thirty (30) days of the executed Order date, submit a report or letter, completed and stamped by a State registered professional engineer, certifying that construction of the necessary storm water control devices are complete and in accordance with the approved plans and specifications; and, (3) within thirty (30) days of the executed Order date, pay a civil penalty of two thousand eight hundred dollars (**\$2,800.00**).

8. <u>Order Type and No.:</u>	CO 02-198-W
<u>Order Date:</u>	September 09, 2002
<u>Responsible Party:</u>	South Carolina Department of Corrections
<u>Facility:</u>	Kershaw Correctional Inst.
<u>Location/Mailing Address:</u>	P.O. Box 21787 Columbia, S.C. 29221
<u>County:</u>	Lancaster
<u>Previous Order(s):</u>	01-105-W (Perry)(\$5,600)
<u>Permit Number:</u>	None
<u>Violation(s) Cited:</u>	S.C. Code Ann. §48-1-90(a).

Summary: The South Carolina Department of Corrections (Respondent) owns and is responsible for the proper operation and maintenance of an on-site WWCS serving the above-referenced facility located in Lancaster County. A review of the Respondent's file revealed that the Respondent discharged waste into the environment in a manner other than in compliance with a permit.

Action: The Respondent has agreed to orally report to the Department within twenty-four (24) hours after detection: (1) all wastewater spills which may pose a threat to human health and/or the environment; (2) all wastewater spills which may enter surface waters of the State and/or all wastewater spills which exceed five hundred (500) gallons; (3) within five (5) days after detection, report all above referenced wastewater spills on and in accordance with DHEC Sanitary Sewer Overflow or Pump Station Failure Report Form; and, (4) within thirty (30) days of the executed Order date, submit a CAP detailing measures planned to assist the Town of Kershaw with its project addressing upgrade of the lift station and installation of a surge tank and 8" force main.

9. Order Type and No.: CO #02-199-W
Order Date: September 09, 2002
Responsible Party: **Richland County Utilities
& Services**
Facility: Regional WWTF/Eastover
Location/Mailing Address: 3506 Fernandina Road
Columbia, S.C. 29210
County: Richland
Previous Order(s): 02-174-W (Broad
River)(\$2,750); 00-235-W (Broad River)(\$0).
Permit Number: SC0047911
Violation(s) Cited: S.C. Code Ann. §48-1-110(d).

Summary: Richland County Utilities & Services (Respondent) owns and is responsible for the proper operation and maintenance of the above-referenced facility serving the residents and businesses of its designated service area located in Richland County. A review of the files revealed that the Respondent exceeded the permitted discharge limit for chronic toxicity (CTOX) as specified in the permit.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with all applicable State and Federal regulations; (2) within thirty (30) days of the executed Order date, submit a CAP, including an implementation schedule, addressing compliance with CTOX; the schedule, upon approval, will become an enforceable part of this Order; and, (3) pay a civil penalty in the amount of four thousand six hundred fifty dollars (**\$4,650.00**).

10. Order Type and No.: CO #02-191-W
Order Date: September 10, 2002
Responsible Party: **Kinston Manor Assn. & Villas
of Foxwood Hills Assn.**
Facility: Foxwood Condominiums WWCS
Location/Mailing Address: 10 Kinston Manor Road
Westminster, S.C. 29693
County: Oconee
Previous Order(s): None
Permit Number: None
Violation(s) Cited: S.C. Code Ann. §48-1-90(a).

Summary: Kinston Manor Association & Villas of Foxwood Hills Association (Respondent) owns and is responsible for the proper operation and maintenance of a WWCS consisting of grinder pumps and service lines, serving the above-referenced facility

in Oconee County. Records revealed that the Respondent discharged waste into the environment in a manner other than in compliance with a permit.

Action: The Respondent has agreed to: (1) within twenty-four (24) hours after detection, orally report to the Department all wastewater spills which may pose a threat to human health and/or the environment, all wastewater spills which enter surface waters of the State, and/or all wastewater spills which exceed five hundred (500) gallons; (2) within five (5) days after detection, all wastewater spills, referenced above, shall be reported to the Department on and in accordance with DHEC Sanitary Sewer Overflow or Pump Station Failure Report Form; (3) within sixty (60) days of the execution date of this Order, begin development of a cMOM audit; (4) within two hundred forty (240) days of the execution date of this Order, the management plan shall be finalized and implemented; (5) within one hundred eighty (180) days of the execution date of this Order, submit to the Department a corrective action plan and schedule to address priority deficiencies in the WWCS; and, (6) pay a civil penalty of twelve thousand eight hundred dollars (**\$12,800.00**).

11. <u>Order Type and No.:</u>	CO #02-193-W
<u>Order Date:</u>	September 10, 2002
<u>Responsible Party:</u>	Western Carolina Regional Sewer Authority
<u>Facility:</u>	Pelham WWTF
<u>Location/Mailing Address:</u>	561 Mauldin Road Greenville, S.C. 29607
<u>County:</u>	Greenville
<u>Previous Order(s):</u>	98-014-W (\$5,600); 99-093-W; 02-011-W (\$2,100).
<u>Permit Number:</u>	SC0033804
<u>Violation(s) Cited:</u>	24 S.C. Code Ann. Regs. 61- 9.122.41(a); S.C. Code Ann. §48-1-110(d).

Summary: Western Carolina Regional Sewer Authority (Respondent) owns and is responsible for the proper operation and maintenance of its WWTF serving the residents and businesses in its designated service area located in the above-referenced County. Records revealed that the Respondent failed to comply with the permitted discharge limits for FC bacteria contained in its Permit.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with applicable State and Federal regulations; (2) within thirty (30) days of the executed

date of this Order, submit to the Department a summary of corrective actions that have already been taken and two (2) copies of a corrective action plan (CAP) including standard operating procedures detailing best management practices that will prevent effluent violations in the future; (3) within thirty (30) days of the execution of this Order, submit a study plan (three copies) for instream water quality assessment of fecal coliform bacteria; (4) the study plan shall include a detailed description of the study area and the methodology to be used. The plan shall also include a map accurately depicting the location of the discharge pipe and sampling locations; (5) sampling must include, at a minimum, locations upstream and immediately downstream of the WWTF's discharge pipe; (6) the study plan must have approval before the collection of data can begin; (7) within thirty (30) days of the Departments approval of the study plan, conduct the water quality assessment for fecal coliform bacteria; (8) a Department certified lab shall conduct the analysis and, the assessment shall be conducted quarterly for a period of two (2) years; (9) thirty (30) days following each quarterly assessment period, submit a report with the analytical results, an interpretation of the results, and conclusions; and, (10) within thirty (30) days of the executed date of this Order, pay a civil penalty in the amount of eight thousand four hundred dollars (\$8,400.00).

12. <u>Order Type and No.:</u>	CO #02-200-W
<u>Order Date:</u>	September 10, 2002
<u>Responsible Party:</u>	Newberry County W&SA
<u>Facility:</u>	Newberry WWTF #1
<u>Location/Mailing Address:</u>	13903 CR Koon Hwy. Newberry, S.C. 29108
<u>County:</u>	Newberry
<u>Previous Order(s):</u>	00-242-W; (WWTF #1) (\$4,200); 98-111-W (WWTF #2) (\$6,200).
<u>Permit Number:</u>	SC0040860
<u>Violation(s) Cited:</u>	S.C. Code Ann. §48-1-90(a).

Summary: Newberry County Water & Sewer Authority (Respondent) is responsible for the proper operation and maintenance of a WWTF serving the residents and businesses of its designated service area located in the above-referenced County. A review of the Respondent's file revealed that the Respondent violated the permitted discharge limit for NH₃-N as specified in the Permit.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State

and Federal regulations; (2) within thirty (30) days of the executed Order date, submit plans and specifications and an application for a construction permit, including an implementation schedule, addressing installation of the sludge pump; upon approval the schedule will become an enforceable part of this Order; and, (3) within thirty (30) days of the executed Order date, pay a civil penalty of five thousand six hundred dollars (\$5,600.00).

ISSUANCE OF ORDERS BY THE BUREAU OF AIR QUALITY

1. <u>Order Type and No.:</u>	Consent Order #02-076-A	
<u>Order Date:</u>	August 23, 2002	
<u>Responsible Party:</u>	Millennium Metal Fabrication, Inc.	
<u>Location/Mailing Address:</u>	9801 Highway 78	
	Ladson, S.C.	29456
<u>County:</u>	Charleston	
<u>Previous Order(s):</u>	01-014-HW (\$7,500)	
<u>Permit No.:</u>	0560-0329	
<u>Violation(s) Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements and S.C. Code Ann. §48-1-110(d).	

Summary: Millennium Metal Fabrication, Inc., located in Ladson, South Carolina, manufacturers a variety of fabricated metal products. On August 8, 2000, Millennium Metal submitted construction applications for a sand blast booth and paint spray booth. On August 15, 2000, Department personnel conducted an inspection of the facility and noted that Millennium Metal was blasting outside on a concrete pad and painting inside the building. A review of Department records indicated that Millennium Metal had not obtained the necessary Department-issued permits and that the construction permit application did not include outside blasting. On August 21, 2000, Millennium Metal amended its permit application to add outdoor blasting. The Department issued Construction Permits 0560-0329-CA-CB to Millennium Metal on October 2, 2000, for the sand blast booth and paint spray booth. The permit requires, inter alia, that Millennium Metal maintain a 12-month rolling sum of blast material used and VOC and HAP consumption and emissions. On July 23, 2001, the Department conducted an inspection of the facility. Construction of the sand blast booth and paint spray booth was not complete, and Millennium Metal was continuing to blast outside and paint inside the building. Millennium Metal

also failed to maintain records of blast material and VOC and HAP consumption.

Action: On December 10, 2001, the Department issued Millennium Metal a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on January 22, 2002. A Consent Order was negotiated in which Millennium Metal agreed to maintain required records and to apply for and obtain all necessary permits prior to placing any new or altered source into operation. Millennium Metal also agreed to ensure compliance with the limit for blasting material used as established by its permit, and pay a civil penalty in the amount of three thousand five hundred dollars (**\$3,500.00**). The penalty is payable in 4 monthly payments, 3 at one thousand dollars (\$1,000.00) each beginning September 22, 2002, and the last payment of (\$500.00) due December 20, 2002.

2. <u>Order Type and No.:</u>	Consent Order #02-077-A
<u>Order Date:</u>	August 23, 2002
<u>Responsible Party:</u>	Alcoa-Mt. Holly
<u>Location/Mailing Address:</u>	Post Office Box 1000 Goose Creek, S.C. 29445
<u>County:</u>	Berkeley
<u>Previous Order(s):</u>	01-037-HW (\$15,700)
<u>Permit No.:</u>	0420-0015
<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-90 and U.S. EPA 40 CFR 63.1505(j)(2), Subpart RRR, National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production.

Summary: Alcoa-Mt. Holly, located in Goose Creek, South Carolina, owns and operates an aluminum reduction facility. Construction Permit 0420-0015-CP, issued January 31, 2001, establishes a particulate matter emission rate of 0.010 pounds/ton of feed/charge for the In-line fluxer, pursuant to U.S. Environmental Protection Agency (EPA) 40 CFR 63.1505 (j)(2), Subpart RRR, National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production. On August 15, 2001, Alcoa conducted a Department-approved source test to determine compliance with Subpart RRR, which indicated the particulate matter emission rate to be 0.0210 pounds/ton. On October 2, 2001, Alcoa conducted a retest that indicated compliance with the permitted emission rate.

Action: On March 1, 2002, the Department issued Alcoa a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on April 4, 2002. A Consent Order was negotiated in which Alcoa agreed to immediately comply

with the requirements of the particulate matter emission rate of 0.010 pounds/ton for the In-line fluxer, as established by its Permit and Federal regulations, and pay a penalty in the amount of four thousand dollars (**\$4,000.00**). The penalty is due September 23, 2002.

3. Order Type and No.: Consent Order #02-078-A
Order Date: August 23, 2002
Responsible Party: **Council Energy, Inc.**
Location/Mailing Address: 679 Cannon Bridge Road
Orangeburg, S.C. 29116
County: Orangeburg
Previous Order(s): None
Permit No.: 1860-0072
Violation(s) Cited: South Carolina Air Pollution
Control Regulation 61-62.70, Title V Operating Permit
Program.

Summary: Council Energy, located in Orangeburg, South Carolina, is a facility that produces steam for commercial use. The Department issued Part 70 ("Title V") Air Quality Operating Permit TV-1860-0072 to Council Energy, effective July 25, 2000. An investigation conducted on January 18, 2002, indicated that Council Energy failed to submit a timely Title V Annual Compliance Certification for the July 25, 2000, through July 24, 2001, reporting period in accordance with Department requirements.

Action: On May 22, 2002, the Department issued Council Energy a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on June 19, 2002. A Consent Order was negotiated in which Council Energy agreed to ensure that it submits a TVACC to the Department in accordance with Department requirements and pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**). The penalty has been paid.

4. Order Type and No.: Consent Order #02-079-A
Order Date: August 23, 2002
Responsible Party: **Decolam, Inc.**
Location/Mailing Address: 625 Five Chop Road
Orangeburg, S.C. 29116
County: Orangeburg
Permit No.: 1860-0003
Previous Order(s): None
Violation(s) Cited: S.C. Code Ann. §48-1-110(d);
SC Code Ann. Reg. 61-62.1.

Summary: Decolam Inc located in Orangeburg, South Carolina, manufactures particleboard and fiberboard raw materials for the furniture industry. Decolam was issued a Title V Operating permit effective July 22, 1999. The Department granted Decolam's request to submit its Title V Annual Compliance Certification based on the calendar year. Decolam failed to submit a Title V Annual Compliance Certification for the monitoring period ending December 31, 2000. An inspection conducted on September 7, 2000, indicated Decolam failed to obtain a construction permit prior to installing a natural gas-fired boiler as required by State regulations.

Action: On March 26, 2002, the Department issued Decolam a Notice of Violation and Notice of Enforcement Conference, and an enforcement conference was held on April 9, 2002. A Consent Order was negotiated in which Decolam agreed to submit the required permit applications and certifications and to pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**). The penalty is due in three equal payments: September, October, and November 23, 2002.

5. <u>Order Type and No.:</u>	Consent Order #02-080-A
<u>Order Date:</u>	August 28, 2002
<u>Responsible Party:</u>	East Coast Moulding Company
<u>Location/Mailing Address:</u>	330 Demming Way Summerville, S.C. 29483
<u>County:</u>	Dorchester
<u>Previous Order(s):</u>	None
<u>Permit No.:</u>	0900-0078
<u>Violation(s) Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.1 and U.S. E.P.A. Regulation 40 CFR 63.43 (c)(2).

Summary: East Coast Moulding Company, located in Summerville, South Carolina, owns and operates a dip treating, vacuum coating, and woodworking operation controlled by a baghouse. On February 12, 2002, the Department received construction permit applications from East Coast Moulding for dip treating, vacuum coating, and woodworking operations. Further review indicated that East Coast Moulding is a major source and would be required to submit an application to the Department for a Part 70 ("Title V") Air Quality Operating Permit or a Conditional Major Permit, within one year from start-up of the equipment. Further East Coast Moulding is subject to U.S. Environmental Protection Agency (EPA) Regulation

40 CFR 63, Subpart B, Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections, Sections 112(g) and 112(j). Section 63.43 (c)(2), Maximum Achievable Control Technology (MACT) Determinations for Constructed and Reconstructed Major Sources, requires subject sources to apply for and obtain a Notice of MACT Approval before beginning actual construction or reconstruction of a major source or to take limits to avoid the requirements of the MACT standard. On April 5, 2002, the Department conducted an inspection at East Coast Moulding that indicated that the dip treating, coating and woodworking operation had been constructed before the facility had received construction permits from the Department. On May 14, 2002, the Department issued Construction Permit 0900-0078-CA to East Coast Moulding containing limits to avoid the requirements of U.S. EPA 40 CFR 63, Subpart B.

Action: On May 22, 2002, the Department issued East Coast Moulding a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on June 18, 2002. A Consent Order was negotiated in which East Coast Moulding agreed to apply for and obtain the proper permits prior to constructing or altering any source of air pollutants, and pay a civil penalty in the amount of seven thousand dollars (\$7,000.00). The penalty is due September 30, 2002.

6. <u>Order Type and No.:</u>	Consent Order #02-081-A
<u>Order Date:</u>	September 5, 2002
<u>Responsible Party:</u>	South Carolina Electric & Gas
<u>Location/Mailing Address:</u>	6248 Bush River Road Columbia, S.C. 29212
<u>Counties:</u>	Aiken, Berkeley, Charleston, Colleton, Fairfield, Lexington, Orangeburg, and Richland.
<u>Previous Order(s):</u>	01-011-A (\$2,500); 01-004-HW (\$101,000); 00-270-W (\$5,100); 99-032-A (\$13,000); 96-58-A (\$2,500); 95-016-A (\$5,000).
<u>Permit No.:</u>	1900-0013, 0560-0029, 1860- 0044, 0800-0011, 0740-0002, 1560-0003, 0420-0006, and 1000- 0012.
<u>Violation(s) Cited:</u>	Consent Order 01-011-A, S.C. Code Ann. § 48-1-90(a), S.C. Code Ann. § 48-1-110(d), and South Carolina Pollution Control Regulation 61-62.5, Standard 1, Section II.

Summary: South Carolina Electric & Gas (SCE&G) owns and operates several natural gas- and coal-fired and nuclear-powered electric generating stations located throughout South Carolina. The stations include the following: Wateree, Hagood, Cope,

Urquhart, Canadys, McMeekin, Williams, and Virgil C. Summers. Each of the stations operates pursuant to a Part 70 (Title V) Air Quality Permit, effective April 1, 2000, with the exception of the Virgil C. Summers Nuclear Station, which operates pursuant to a Conditional Major Operating Permit. Department records indicate that SCE&G: exceeded its permitted limit for particulate matter (PM) emissions at the Wateree Station during two source tests; exceeded 40% opacity during soot blowing episode, which lasted greater than six minutes during one-hour periods at the Urquhart, Wateree, and Canadys Stations; failed to accurately report the compliance status of the Hagood, Urquhart, and Wateree Stations in its Title V Annual Compliance Certifications (TVACC) during the April 1, 2000, through March 31, 2001, reporting period; failed to accurately report the compliance status of the Cope, Canadys, Hagood, McMeekin, Urquhart, Wateree, and Williams Stations in its TVACC during the April 1 through December 31, 2001, reporting period; failed to submit annual visual opacity inspection reports for the Canadys, Cope, McMeekin, Urquhart, Wateree, and Williams Stations; failed to submit semiannual fuel oil certifications for the Hagood and Urquhart Stations; failed to submit semiannual reports of hours of operation for the Hagood Station; and failed to submit annual reports of actual operating hours for the auxiliary boiler and emergency generators at the Virgil C. Summers Nuclear Station.

Action: On June 6, 2001, the Department issued SCE&G a Notice of Violation and Notice of Enforcement Conference and an enforcement conference was held on July 17, 2001. A Consent Order was issued in which SCE&G agreed to ensure that PM emissions from its boilers at the Wateree Station do not exceed permitted limits; comply with Department regulations and permit requirements regarding soot-blowing episodes; ensure that its TVACC accurately reflect the compliance status of the facilities for the reporting period; and ensure that annual visual opacity inspection reports, semiannual fuel oil certifications, semiannual reports of hours of operation, and annual reports of actual operating hours for auxiliary boilers and emergency generators are submitted to the Department, in accordance with the schedules in its Permits; and pay a civil penalty in the amount of thirty-four thousand five hundred dollars (\$34,500.00). The civil penalty has been paid.

7. <u>Order Type and No.:</u>	Consent Order #02-082-A
<u>Order Date:</u>	August 28, 2002
<u>Responsible Party:</u>	Millard Refrigerated Services
<u>Location/Mailing Address:</u>	813 Hamrick Street Gaffney, S.C. 29340

County: Cherokee
Previous Order(s): None
Permit No.: None
Violation(s) Cited: US EPA 40 CFR § 68, Chemical Accident Prevention Provisions and South Carolina Air Pollution Control Regulation 61-62.68 Chemical Accident Prevention Provisions.

Summary: Millard, located in Gaffney, South Carolina, operates a cold storage warehouse. Millard is subject to the Chemical Accident Prevention Provisions regulation because of the amount of anhydrous ammonia that is stored and used onsite in its refrigeration system. A review of Department records indicated that Millard failed to submit a Risk Management Plan (RMP) within the time frames established by Department and Federal regulations. On September 20, 2001, the department received the required RMP.

Action: On March 25, 2002, the Department issued Millard a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on April 10, 2002. A Consent Order was negotiated in which Millard agreed to ensure that the risk management program is reviewed, updated, and implemented in accordance with the regulation, and pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**). The penalty is due September 27, 2002.

8. Order Type and No.: Consent Order #02-083-A
Order Date: August 29, 2002
Responsible Party: **Cummins Incorporated**
Location/Mailing Address: 4500 Leeds Avenue
Charleston, S.C. 29405
County: Charleston
Previous Order(s): 01-089-A (\$9,000); 00-064-A (\$4,500); 00-011-HW (\$34,000).
Permit No.: 0560-0247
Violation(s) Cited: S.C. Code Ann. §48-1-110(d), South Carolina Air Pollution Regulation 61-62.5, Standard 4, Emissions from Process Industries and Consent Order 01-089-A.

Summary: Cummins Incorporated, located in Charleston, South Carolina, owns and operates a facility that manufactures diesel engine components. The Department issued Conditional Major Air Quality Operating Permit CM-0560-0247 to Cummins, effective January 19, 1999. The Conditional Major permit requires, inter alia, that Cummins record and maintain daily

readings of its pressure drop gauges, liquid flowmeters, and gas flowmeters, and maintain all visible emissions including fugitive emissions at or below twenty percent (20%) opacity. During an inspection on March 6, 2002, Department personnel noted that Cummins had failed to record and maintain daily readings of its pressure drop gauge(s) and flowmeter(s) on its wet scrubbers as required by its permit. Further a U.S. Environmental Protection Agency (EPA) Method 9 Visible Emissions Observation (VEO) conducted by the Department indicated that the emissions from the 800HP Engine Test Cell for Marine Engineering Development exhibited an average opacity of twenty-nine percent (29%) during the highest six minute period.

Action: On May 22, 2002, the Department issued Cummins Incorporated a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on June 18, 2002. A Consent Order was negotiated in which Cummins Incorporated agreed to ensure that visible emissions from the facility do not exceed twenty percent (20%) opacity and that monitoring and operational requirements concerning pressure drop gauges, liquid flowmeters, and gas flowmeters on scrubbers and baghouses are kept, and to pay a civil penalty in the amount of seven thousand five hundred dollars (**\$7,500.00**). The penalty is due September 30, 2002.

9. <u>Order Type and No.:</u>	Consent Order #02-084-A
<u>Order Date:</u>	August 29, 2002
<u>Responsible Party:</u>	Blumenthal Mills, Inc.
<u>Location/Mailing Address:</u>	Hwy. 76 West Marion, S.C. 29571
<u>County:</u>	Marion
<u>Previous Order(s):</u>	None
<u>Permit No.:</u>	1660-0018
<u>Violation(s) Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements, S.C. Code Ann. §48-1-110(d), and South Carolina Air Pollution Control Regulation 61-62.70, Title V Operating Permit Program.

Summary: Blumenthal, located in Marion, South Carolina, is a textile operation that manufactures ticking and printed cloth. The Department issued Blumenthal Title V Operating Permit TV-1660-0018 effective November 13, 1999. On November 21, 2000, Department personnel conducted an inspection and determined that Blumenthal failed to maintain operational records regarding its boiler and operated its tenter frame without the associated fume incinerator online as required by the permit. A review of

Department records indicated that Blumenthal operated a slasher prior to requesting an operating permit and failed to submit year 2000 and 2001 annual VOC, PM, and visual inspection reports as required by its permit. Additionally, Blumenthal failed to include all instances of noncompliance in its Title V Annual Compliance Certification for the reporting period ending November 12, 2001.

Action: On June 6, 2002, the Department issued Blumenthal a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on June 19, 2002. A Consent Order was negotiated in which Blumenthal agreed to maintain and submit required records, ensure that pollution control equipment is operated in accordance with its permit, obtain required Department-issued permits, submit a revised Title V Annual Compliance Certification for the reporting period ending November 12, 2001, ensure that future Title V Annual Compliance Certifications include all instances of noncompliance, and pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**). The penalty has been paid.

10. <u>Order Type and No.:</u>	Consent Order #02-085-A
<u>Order Date:</u>	September 5, 2002
<u>Responsible Party:</u>	Hi-Tech Construction Inc.
<u>Location/Mailing Address:</u>	Post Office Drawer 30430 Myrtle Beach, S.C. 29588
<u>County:</u>	Horry
<u>Previous Order(s):</u>	99-045-A, (\$1,500.00).
<u>Permit No.:</u>	None
<u>Violation(s) Cited:</u>	Consent Order 99-045-A and South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning.

Summary: Hi-Tech Construction Inc. is a construction company located in Myrtle Beach, South Carolina. On December 19, 2001, Department personnel conducted an investigation of open burning on property located at Lilly Naz Drive in Socastee, South Carolina. The investigation indicated that Hi-Tech Construction Inc., personnel were burning land-clearing debris approximately 500 feet from several residential structures. Department personnel requested that open burning cease until the material could be relocated to a distance of greater than 1,000 feet from the residential structures.

Actions: On June 17, 2002, the Department issued Hi-Tech Construction Inc., a Notice of Violation and a Notice of Enforcement Conference; Hi-Tech Construction Inc., elected not

to attend the Enforcement Conference and agreed to pay a civil penalty in the amount of four thousand dollars **(\$4,000.00)**. The penalty is due October 5, 2002.

11. Order Type and No.: Consent Order #02-087-A
Order Date: September 10, 2002
Responsible Party: **Electrolux Home Products**
Location/Mailing Address: Hwy. 33 and Old Cameron Road
Orangeburg, S.C. 29115
County: Orangeburg
Previous Order(s): None
Permit No.: 1860-0043
Violation(s) Cited: S.C. Code Ann. § 48-1-110(d)
and South Carolina Air Pollution Control Regulation 61-
62.70, Title V Operating Permit Program.

Summary: Electrolux Home Products ("EHP"), located in Orangeburg, South Carolina, manufactures lawn and garden tractors and tillers. The Department issued Part 70 ("Title V") Air Quality Operating Permit TV-1860-0043 to EHP, effective July 29, 1999. A review of Department records indicated that EHP failed to submit quarterly volatile organic compound ("VOC") reports in a timely manner, failed to submit visual inspection reports in a timely manner, and inaccurately certified compliance with its Title V permit.

Action: On May 31, 2002, the Department issued EHP a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on June 21, 2002. A Consent Order was negotiated in which EHP agreed to ensure that it submits VOC reports and visual inspection reports in a timely manner, ensure that it accurately certifies its compliance status with its Title V Permit in the Title V Annual Compliance Certification, and pay a civil penalty in the amount of six thousand dollars **(\$6,000.00)**. The penalty is due October 10, 2002.

Multimedia Enforcement Action

1. Order Type and No.: CO #02-186-DW,W
Order Date: August 23, 2002
Responsible Party: **Town of Lynchburg**
Facility: Lynchburg Public Water System
Location/Mailing Address: P.O. Box 147
Lynchburg, S.C. 29080
County: Lee

Previous Order(s): 01-057-DW (\$3,600 stipulated); 00-201-W (\$0).
Permit Number: SC0042676
Violation(s) Cited: S.C. Code Ann. §44-55-10; 25 A S.C. Code Ann. Regs. 61-58.7; 25 S.C. Code Ann. Regs. 61-30(G)(2), -58.5, .6(E).

Summary: The Town of Lynchburg (Respondent) owns and is responsible for the proper operation of the above-referenced public water system (PWS) and the wastewater treatment facility (WWTF), which serves the customers of its service area located in the above-referenced County. Records reveal that the Respondent failed to properly operate and maintain the PWS, failed to pay annual drinking water fees; and, failed to monitor the referenced PWS for the required contaminants. Records also revealed, that the Respondent failed to submit a renewal application for its NPDES permit.

Action: The Respondent has agreed to: (1) immediately cease the practice of operating a PWS in the State that does not comply with all pertinent State and Federal laws and regulations; (2) within thirty (30) days of the executed date of this Order, issue public notification to the customers of its PWS for failure to monitor for the required contaminants for the period of January 1, 1999 through December 31, 2001 and submit a copy of this notification; (3) within sixty (60) days of the executed date of this Order, apply for certification with the Department's Office of Environmental Laboratory Certification, for the required drinking water parameters (pH, residual chlorine); (4) pay a total of fifteen thousand twenty-two dollars and fifty cents (\$15,022.50), ten thousand seven hundred seventy dollars and fifty cents (\$10,770.50) of which is for the delinquent annual **drinking water fees** owed for the period of January 1, 1999 through December 31, 2001 and four thousand two hundred fifty two dollars (\$4,252.00) is for the annual **drinking water fees** for the current fiscal year; (5) correct the operation and maintenance problems, listed in item number one (1)(I) of the Drinking Water Findings of Fact within twelve (12) months of obtaining a source of funding. Upon correcting the problems, contact the Wateree Environmental Quality Control District Office to schedule an inspection; (6) within ninety (90) days of the executed date of this Order, develop a Business Plan to address the current and future needs of the referenced PWS. The Department's Water System Viability Guidance document, shall be used as a reference in preparing the Business Plan; and,

Water Pollution

(1) within ninety (90) days of the execution date of this Order, submit a completed application for renewal of its NPDES permit; (2) within sixty (60) days of the executed date of this Order, apply for certification with the Department's Office of Environmental Laboratory Certification, for the required wastewater parameters; (3) upgrade lift station number four (4) within ninety (90) days of obtaining a source of funding; and, (4) operate the WWTF in accordance with the effluent limitations, monitoring requirements and other conditions set forth in the NPDES permit effective June 1, 1996, until a reissued NPDES permit becomes effective.